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SUBJECT: KAZAKHSTAN: AMBASSADOR DISCUSSES DEMOCRATIZATION COMMISSION
WITH STATE SECRETARY ABDYKARIMOV

REF: ALMATY 1095

¶1. (SBU) Summary: On March 30, the Ambassador paid a courtesy call on State Secretary Oralbay Abdykarimov, who was recently named to run the new Democratization Commission ("the Commission") as deputy to President Nazarbayev. Abdykarimov, who will undertake the day-to-day operations of the commission and chair most working meetings, described the structure, goals, and timeline for the Commission. He acknowledged the importance of active participation by all stakeholders, including opposition leaders and civil society groups. End summary.

¶2. (U) The Ambassador met with Oralbay Abdykarimov on March 30 in Astana to discuss plans for the newly constituted Democratization Commission convened by President Nazarbayev on March 24. Abdykarimov was appointed State Secretary in March ¶2004. When dealing with various government agencies, political parties, and public organizations, the State Secretary acts as the President's representative. Prior to this position, Abdykarimov served as speaker of the Senate from 1999 to 2004. During the meeting, Abdykarimov gave the Ambassador an overview of the broad plans for the Commission, explaining its structure and laying out goals and timelines for accomplishing these goals.

STRUCTURE AND GOALS OF THE COMMISSION

¶3. (U) Abdykarimov explained that the Commission has 30 members who will form seven working groups. These groups will focus on the priorities of democratic reforms as determined by the previous National Commission on Democratization and Civil Society chaired by former Security Council Secretary Utemuratov: executive branch reform; strengthening the role of representative government entities; development of self-governance; judicial reform; human rights protection and strengthening the role of political parties and public organizations; strengthening of independent, professional media; and development of Kazakhstan's electoral and political system. Members include the deputy speakers of both houses of Parliament, one representative from each registered political party and bloc, leaders of political factions in the Parliament, civil society leaders, and other government officials and members of the Parliament. (Note: Only one opposition representative attended the first meeting.) The Cabinet will

appropriate funds for the Commission's budget, which will be overseen by the Ministry of Culture and Information. Abdykarimov noted that the Commission's success will depend on whether the Commission wins public trust in its objectives and methodology.

14. (SBU) The next meeting of the Democratization Commission is tentatively scheduled for April 21. It will be a working meeting chaired by Abdykarimov rather than President Nazarbayev, who chaired the Commission's first meeting on March 24. Commission members will debate and vote to set the order of the seven priority areas to be addressed. At the March 24 meeting, Constitutional Council Chairman Igor Rogov suggested that they begin with the areas that do not require amendments into the Constitution. Abdykarimov shares that view, predicting to the Ambassador that the Commission would not likely draft any constitutional amendments this year. After the first meeting, Abdykarimov sent letters to all members of the Commission asking for their proposals on the work plan and soliciting agenda items for the next meeting. He told the Ambassador that at this stage, there is no unanimity among members as to what issues should be addressed first. Once approved by the Commission, proposed legislation and regulations will be filed with the Cabinet for submission to Parliament. (Note: Under the Constitution, legislation may be initiated only by the Cabinet or within the Parliament itself. The Presidential Administration and its subsidiary non-cabinet agencies and commissions technically do not have the right to initiate legislation. However, in practice, these entities work closely with the Ministry of Justice to draft relevant legislation. End note.) The work plan drafted by the Commission will be sent to President Nazarbayev for approval.

15. (SBU) The Democratization Commission reforms will be divided into goals for 2006 to 2008 and goals for 2009 to 2011. The

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election of akims should begin this year pursuant to a decree by the President. (Note: District akims are expected to be indirectly elected by district (rayon) legislatures, or Maslikhats. As noted in reftel, akims have traditionally been executive branch appointees. End note.) This year, Parliament is expected to pass a law that will be that will expand local self-government for small settlements and villages.

16. (SBU) Abdykarimov believes the Commission must ultimately decide whether Kazakhstan remains a presidential republic, moves towards a parliament-dominated republic, or maintains strong executive and legislative branches to balance each other. He said that although it was not an immediate priority, a new election law should be passed prior to the fall 2009 Mazhilis elections, providing for a larger role for political parties.

ENGAGEMENT WITH OPPOSITION AND STAKEHOLDERS

17. (SBU) Abdykarimov said that he sent a letter to newly registered opposition party True Ak Zhol (TAZ) on March 29 asking the party to name its representative to the Democratization Commission. Former presidential candidate Zharmakhan Tuyakbay was invited to represent opposition bloc For a Just Kazakhstan (FJK), while party chairman Serikbolsyn Abdildin was invited to represent the opposition Communist Party of Kazakhstan (CPK). Neither party sent a representative to the inaugural March 24 meeting, however. Ak Zhol chairman Alikhan Baymenov was the only opposition representative present. Abdykarimov agreed that the murder of TAZ leader Altynbek Sarsenbaiuly cast a shadow on the work of the Commission. Abdykarimov claimed that government had reached out to the opposition to join the Commission and taken steps to encourage their participation. (Note: As reported Ref B, the opposition does not feel the GOK has made any effort.) Abdykarimov stressed that opposition leaders must commit to participation; they cannot be forced to join. If the opposition leaders refuse to participate, they will miss an opportunity to shape the

Commission's reforms. The work of the Commission will go forward, Abdykarimov said, with or without the opposition.

¶8. (SBU) The Ambassador encouraged Abdykarimov to come up with a clear agenda and action plan so that all stakeholders, including the opposition, will see the advantages of joining the Commission. He also encouraged informal, personal outreach by GOK officials to "old friends" in the opposition, noting that many political opponents retained personal ties built on former professional relationships and family and social ties. Abdykarimov agreed with the suggestion, adding that he had known all the opposition activists from long ago, particularly Bulat Abilov (TAZ), Oraz Zhandosov (TAZ), and Tulegen Zhukeyev (FJK). He noted, "We all share the same goals of building democracy and prosperity. Our differences are in the way to reach these goals."

¶9. (SBU) Abdykarimov also indicated that he would seek feedback from civil society stakeholders, soliciting input from groups as diverse as the National Council, the Assembly of Peoples, the entrepreneur group "Atameken," NGOs, and the media. Abdykarimov expressed openness to active participation of international organizations and invited the Embassy to send observers to any and all Commission meetings.

EYE ON THE OSCE BID

¶10. (SBU) Finally, Abdykarimov mentioned Kazakhstan's aspirations to OSCE chairmanship-in-office (CiO). He believes that Kazakhstan should be given credit for aspiring to take a leadership role and that the U.S. should support Kazakhstan's bid for the OSCE CiO. The Ambassador agreed that Kazakhstan deserves recognition for its leadership aspirations, but noted that aspirations are not enough. The Ambassador told Abdykarimov that the terms under which Kazakhstan could be chosen to serve as OSCE CiO remain subject to further consideration and discussion.

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BACKGROUND NOTES

¶11. (SBU) BIOGRAPHIC NOTE: Oralbay Abdykarimov (patronymic unknown) was born December 18, 1944, in the village of Kiyevka, Nurinsky Region, Karaganda Oblast. Following a brief (1964-67) stint in the Soviet Navy, he graduated from Karaganda Industrial-Pedagogical Technical School in 1969 and from Karaganda State University in 1974. He served as an "instructor" to regional government councils from 1975 to 1985. From 1985 to 1991, he held various positions with the Central Committee of Communist Party of the Kazakh S.S.R. Following Kazakhstan's independence, Abdykarimov served in the Presidential Administration from 1991 to 1996, when he left to serve 8 months as the head of administration for the Mazhilis. In October 1996, he returned as the Head of Presidential Administration, leaving to serve as Chair of the Higher Disciplinary Council(1997-1998), then on to chair the State Commission on Combating Corruption (1998-2000). Abdykarimov is married to Zhamal Abdykarimova and they have a daughter and three sons, one of whom, Serzhan, currently serves as the head of the MFA Europe and Americas Department (replacing Jandos Asanov). His brother, Bolat Abdykarimov, worked in the government until 1997 and ran for the Mazhilis in 1999. Currently, Bolat Abdykarimov is a professor at Eurasia National University in Astana.

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